

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Scheller, D. *et al.*
Serial No.: 10/599,976
Filed: 16 October 2006
Title: METHODS FOR PROPHYLAXIS OR TREATMENT OF
CONDITIONS ASSOCIATED WITH CORTICAL SPREADING
DEPRESSION
Group Art Unit: 1654
Examiner: Cordero Garcia, Marcela M.
Confirmation No.: 7592
Docket No.: **6102-000049/US/NP**
Client Ref.: P/ST/4/04

SUBMITTED ELECTRONICALLY VIA EFS-WEB

4 December 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION DATED 6
NOVEMBER 2009

(INCLUDING SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER
37 C.F.R. 1.97(b)(3))

This paper is responsive to the Office Action dated 6 November 2009 in the above referenced application, in which a shortened statutory period of one month was set for reply. Submission is timely and no fee is believed payable.

This paper includes a supplemental information disclosure statement under 37 C.F.R. 1.97(b)(3).

AMENDMENT B UNDER 37 C.F.R. 1.115

Amendments in the CLAIMS are reflected in the listing of claims beginning on page 3 of this paper. Following amendment herein, the total number of claims is not increased. There are now two independent claims over three, therefore authorization is given to charge

Serial No. 10/599,976

6102-000049/US/NP

Amendment B, Response to Office Action dated 6 November 2009, Supplemental IDS

4 December 2009

an excess claim fee of \$440 (\$220 per independent claim) for the two new independent claims over three to Deposit Account No. **08-0750**.

REMARKS on the present amendment begin on page 10 of this paper.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT begins on page 14 of this paper.